

## **REMARKS**

### **I. Office Action Summary**

Claims 4, 6-7 and 35-41 are pending. Claims 4, 7 and 39 are the independent claims. In the final Office Action, all of the pending claims were rejected as allegedly failing to comply with the written description requirement under 35 U.S.C. § 112, paragraph 1. All of the pending claims were also rejected as obvious over the combination of Hirota et al. (U.S. 6,856,431) in view of Akino (JP 11250141).

### **II. Interview Summary**

A telephonic interview between the undersigned and Examiner Gelagay was held on February 18, 2010. The undersigned wishes to thank the Examiner for the courtesy extended during that discussion. In the interview, an agreement was reached that proper support is present for the claims under 35 U.S.C. § 112, first paragraph. The independent claims (4, 7 and 39) were also discussed and it was tentatively agreed that further clarification regarding the feature that a decryption key is deleted after decrypting each portion of a file with multiple portions would distinguish over the cited art.

### **III. Rejections Under 35 U.S.C. § 112**

The claims were rejected as lacking written description under § 112, first paragraph. In view of the remarks provided in Applicants' prior responses, which are hereby incorporated by reference, and the telephonic interview of February 18, 2010, where an agreement on this rejection was reached, Applicants respectfully submit that this rejection has been overcome.

### **IV. Rejections Under 35 U.S.C. § 103(a)**

All of the claims were rejected as obvious over the combination of Hirota and Akino.

Claim 4

As currently presented, claim 4 recites a device for playback of encrypted audio and/or video tracks from a memory card that includes a processor and a module operatively coupled with the processor and configured, for each audio and/or video file within an audio and/or video track, for

deleting the decrypted key after decrypting the one of the plurality of portions of the audio and/or video file before decrypting an additional one of the plurality of portions of the audio and/or video file.

As discussed in the telephonic interview of February 18, 2010, and noted in the remarks of Applicants' prior responses, Hirota and Akinao lack at least this feature. Claims 6 and 35-38 are dependent claims, therefore their allowability directly follows from the allowability of independent claim 4. Reconsideration and allowance is respectfully solicited.

Claim 7

As currently presented, claim 7 recites a computer readable storage medium having an executable program, the program to be utilized in an audio and/or video device for playback of encrypted tracks of audio and/or video content, wherein an encrypted track of audio and/or video content comprises at least one encrypted audio or video file, the program configured to, for each encrypted audio or video file:

decrypt an encrypted audio or video file from a memory card,

wherein decrypting the audio or video file comprises:

(a) decrypting a key stored in a memory of the audio and/or video device;

(b) decrypting one of a plurality of portions of the audio or video file;

(c) deleting the decrypted key; and

(d) repeating (a) through (c) until all of the plurality of portions of the audio or video file are decrypted.

Although of different scope than claim 4, claim 7 includes the repetition of decrypting a key, decrypting one of a plurality of portions of the audio or video file and deleting the decrypted key until all of the plurality of portions of the audio or video file are decrypted. Accordingly, for at least the same reasons as provided for claim 4, Applicants submit that claim 7 is in condition for allowance.

### Claim 39

As currently presented, claim 39 recites a method for playback of audio and/or video tracks comprising one or more encrypted audio and/or video files stored on a memory card, the method comprising, *inter alia*:

deleting the decrypted key from the device after decrypting the first of the plurality of portions of the audio and/or video file before decrypting a next portion of the plurality of portions of the audio and/or video file.

Although claim 39 is of different scope than claim 4, Applicants submit that claim 39 is allowable over the cited art for at least the same reasons provided for claim 4. Claims 40-51 are dependent claims, therefore their allowability directly follows from the allowability of independent claim 39. Reconsideration is respectfully solicited.

### **V. New claims**

New claims 53-55 include many of the features of independent claim 4. Claim 53 includes the feature of content “retrievable as one or in successive portions of a file in a track” where the claimed device has a module operatively coupled to a processor for “retrieving the content one portion at a time and for each portion retrieved . . . deleting the decrypted key after decrypting this portion of the content and before decrypting any succeeding portion of the content”. Thus, Applicants submit that claim 53 is allowable for at least the same reasons

as provided for claim 4. Claims 54-55 are dependent claims and therefore their allowability directly follows from the allowability of independent claim 53.

Applicants submit that claims 53-55 add no new matter and are fully supported by the specification as filed. Support for claims 53-55 may be found throughout the original specification as at, for example, p. 10, line 24 – 31; and p.24, lines 12-25. Also, new dependent claim 52 depends from independent claim 4 and is fully supported by the original specification.

## VI. Conclusion

Applicants have amended the claims to clarify that files have a plurality of portions that are decrypted as set forth in the respective claims. The amendments are fully supported by the specification and add no new matter. With the above remarks, Applicants submit that claims 4, 6-7 and 35-55 are in condition for allowance. If any questions arise or issues remain, the Examiner is invited to contact the undersigned at the number provided below.

Respectfully submitted,



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